

**REMARKS**

In the Office Action, the Examiner indicated that claims 1 through 23 are pending in the application and the Examiner rejected all claims.

**Objection to the Specification**

On page 2 of the Office Action, the Examiner objected to the Abstract because it exceeds the limit of a single paragraph. Applicants have amended the Abstract to contain only one paragraph.

**Claim Rejections, 35 U.S.C. §102**

In item 3 on pages 2 to 5 of the Office Action, the Examiner rejected claims 1 to 23 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,282,701 to Wygodny et al. ("Wygodny").

Applicants note that there is a discrepancy between the Wygodny '701 patent on which the Examiner has based his rejections in the Office Action and U.S. Patent No. 6,202,199 to Wygodny et al. which is cited on the "References Cited" page of the Office Action, and a copy of which was included by the Examiner with the Office Action. Applicants have independently obtained a copy of the '701 Wygodny patent. Based upon a comparison of the comments made by the Examiner in the Office Action and a reading of both Wygodny patents, applicants assume that the Examiner has based his rejections on the '701 Wygodny patent, and will argue the rejections accordingly.

**The Present Invention**

The present invention provides a method for remote tracing from a local data processing node of the execution of a process within an application program running on a remote data processing node in a distributed data processing network. The application program includes its own local trace facility, and the nodes communicate by asynchronous messaging via a data exchange means. Further, each node includes process-private interrupt handling means for indicating the presence of a command for the respective process in the data exchange means. In response to receiving trace information, the a process-private interrupt of the trace process occurs. Further, in response to the process-private interrupt, trace information is read by the trace process from the local data exchange means.

**U.S. Patent No. 6,282,701 to Wygodny et al.**

U.S. Patent No. 6,282,701 to Wygodny et al. ("Wygodny") discloses a software system which facilitates the process of tracing the execution pass of a client program. The tracing is performed without requiring modifications to the executable or source code files of the client.

**The Cited Prior Art Does Not Anticipate the Claimed Invention**

The MPEP and case law provide the following definition of anticipation for the purposes of 35 U.S.C. §102:

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP §2131 citing *Verdegaal Bros. v. Union Oil Company of California*, 814 F.2d 628, 631, 2 U.S.P.Q. 2d 1051, 1053 (Fed. Cir. 1987)

**The Examiner Has Not Established a *prima facie* Case of Anticipation**

On page 3 of the Office Action, the Examiner asserts that Wygodny teaches an application program that includes its own local trace facility. This is incorrect. The client 102 in Wygodny does not include its own local trace facility, but instead is sent “a small tracing application called the agent” (column 5, beginning at line 37). Quite clearly Wygodny does not have its own local trace facility, and thus additional data must be sent over the network so that the functions of the tracing application can be performed.

Also on page 3 of the Office Action, the Examiner asserts that Wygodny teaches the step of, in response to the trace command, causing a process-private interrupt of a target process running a remote data processing node. This too is incorrect. The interrupts (INT1 and INT3) discussed by the Examiner as associated with the *client* process and not the trace process (see, for example, column 25, lines 37-43 of Wygodny).

In addition, on page 4 of the Office Action, the Examiner asserts that Wygodny teaches that, in response to the process-private interrupt, the trace information is read by the trace process from the local data exchange means. Again, this is incorrect. In Wygodny, the agent must copy trace information from a buffer to a log file. The client side then sends the log file back to the developer and then, the analyzer reads from the log file. Therefore, the trace information is not read from the local data exchange means (i.e.,

the agent side trace library or trace buffer) and writing of the trace information occurs twice - once into the buffer, then into a log file.

Each of the independent claims specifically recite the elements described above which are not taught or suggested by Wygodny. Without such a teaching, each of the independent claims, and all claims depending therefrom, patentably define over Wygodny.

**Conclusion**

The present invention is not taught or suggested by the prior art. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of the claims. An early Notice of Allowance is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 09-0461.

Respectfully submitted

1/22/04  
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